



DELAWARE SOLID WASTE AUTHORITY

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April 21, 2016

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Mr. Brad Richardson
Environmental Scientist
Department of Natural Resources
and Environmental Control
Solid and Hazardous Waste Management Section
89 Kings Highway
Dover, DE 19901

Re: Request for additional information – Permit Renewal Application
Cherry Island Landfill, Permit SW 06/01

Dear Mr. Richardson,

In response to your request for additional information and updates for the Cherry Island Landfill (CIL) permit renewal application dated June 29, 2015, Delaware Solid Waste Authority (DSWA) offers the following:

Item 1

Please include a Table of Contents for the Permit Renewal Application at the beginning of the document.

DSWA RESPONSE #1

A Table of Contents for the Permit Renewal Application has been inserted at the beginning of the document.

Item 2

Please include tabs for each section of the Permit Renewal Application.

DSWA RESPONSE #2

Tabs have been included for each section of the Permit Renewal Application.

Item 3

Checklist Item #3: Solid Waste Management Facility Application

1128 S. Bradford Street, Dover, Delaware 19904

Phone: (302) 739-5361 Fax: (302) 739-4287

CITIZENS' RESPONSE LINE: 1-800-404-7080

www.dswa.com

#11 Operating Hours:

- A. Daily Operating Hours (include all time periods when waste is handled): 6:00a.m. - 7:00a.m. Except on days following facility holidays when the landfill staff may arrive at 5:30a.m.
- B. Daily Business Hours (i.e. hours open to the public): 7:00a.m. – 5:00p.m. (Monday – Friday) and 7:00a.m. – 3:00p.m. (Saturday)

Checklist Item #5: Plan of Operation

Section 2: Hours of Operation

“CIL is operated six days per week, Monday through Friday, from 7:00 a.m. to 5:00 p.m. and Saturdays, from 7:00 a.m. to 3:00 p.m.”

Please Determine if the 6:00a.m. – 7:00a.m. is correct in Checklist Item #3: Solid Waste Management Facility Application, #11 Operating Hours.

Also, please provide justification so that the above hours meet the New Castle County Code regarding Noise Control (22.02.007) and Delaware Regulations Governing the Control of Noise.

DSWA RESPONSE #3

The 6:00a.m. – 7:00a.m. in Checklist Item #3: Solid Waste Management Facility Application, #11 Operating Hours, was determined to be inaccurate and was corrected to read 6:00a.m. – 7:00p.m.

Neither the New Castle County Code regarding Noise Control (22.02.007) nor the Delaware Regulations Governing the Control of Noise has any restrictions which would limit the operational hours of a Solid Waste Management Facility. Both regulations do stipulate that a noise disturbance cannot be created within a residential area; however the CIL is located within an industrialized area and is not adjacent to any residential locations. Because of this CIL has no noise impact on any neighboring residential areas. Since the commencement of operations at the CIL there have been no recorded noise complaints. Based on this there is no evidence that the CIL hours of operation are in noncompliance with both the New Castle County Code regarding Noise Control (22.02.007) and Delaware Regulations Governing the Control of Noise

Item 4

Checklist Item #3: Solid Waste Management Facility Application

#2 Facility Information: Total Site Area (Acres): “513”.

Checklist Item #5: Plan of Operation

Section 1.2: Facility Location and Description: 2nd para.: *“The CIL consist of Approximately 350 Acres”*.

Please reconcile the acreage discrepancy.

DSWA RESPONSE #4

The acreage discrepancy has been addressed and both locations cited have been corrected to state that CIL is 368 acres.

Item 5

Checklist Item #3: Solid Waste Management Facility Application
#12 Applicant Background Information: If an Environmental Permit Application Background Statement is required by 7 Del. C., Chapter 79, please complete the Environmental Permit Application Background Statement.

Please complete Section 12 of the Solid Waste Management Facility Application to include the Environmental Permit Application Background Statement.

DSWA RESPONSE #5

Upon closer evaluation it was determined that this application does not meet the criteria for an Environmental Permit Application Background Statement to be required. As such the Solid Waste Management Facility Application is being submitted sans an Environmental Permit Application Background Statement.

Item 6

Checklist Item #4: Proof of Ownership of the Property.

As well as the Deed(s) itself, please include the following in this section:

- an Exhibit Plan which clearly shows all of the parcels of the DSWA CIL property and the adjacent properties and important roads and rivers.
- Table which lists the Tax Parcel Number, Owner and Deed Record.

DSWA RESPONSE #6

An Exhibit Plan showing all parcels of the DSWA CIL property including adjacent properties and important rivers has been included with Checklist Item #4. Contained on the Exhibit Plan is a Table listing the information for the individual parcels.

Item 7

Checklist Item #5: A dated plan of operation.

Plan of Operations – Cover Page

Update the Date (from April 2015 to March 2016) of the Plan of Operation cover page.

DSWA RESPONSE #7

The date on the Plan of Operations has been updated to read March 2016.

Item 8

Checklist Item #5a: Describe type of facility.

Plan of Operations – Section 1.2. – Facility Location and Description

Include a brief narrative description of the type of facility CIL is, i.e. Solid Waste Landfill.
“CIL is permitted to accept MSW, Non-hazardous industrial waste, ...”

DSWA RESPONSE #8

A brief narrative describing the type of facility CIL is has been included in Section 1.2 of the Plan of Operations

Item 9

Checklist Item #5:

Plan of Operations TOC – Section 9.1 “CSWMC Grounds Maintenance”

Should be “CIL Grounds Maintenance”

DSWA RESPONSE #9

The Plan of Operations TOC – Section 9.1 has been corrected to read CIL Grounds Maintenance

Item 10

Checklist Item #5:

Plan of Operations – Section 7.1

The first sentence in this section should be revised to indicate that the areas listed shall be cleaned up, daily, by the Contractor, rather than simply inspected.

DSWA RESPONSE #10

The first sentence in Section 7.1 of the Plan of Operations has been revised to state that the areas listed shall be inspected for litter accumulation and the litter removed as frequently as necessary to keep these areas clean.

Item 11

Checklist Item #5:

Plan of Operations – Section 10.7.3

Indicate that the purpose of the 2' x 2' trench through the daily cover, when filling along the final slope, is to prevent leachate seeps.

DSWA RESPONSE #11

Language has been added to Section 10.7.3 of the Plan of Operations indicating that the purpose of the 2' x 2' trench through the daily cover is so that there is a direct connection between the solid waste in the lower lift and the new lift, allowing liquids to flow unimpeded between lifts with the intention of minimizing the potential for seeps to occur.

Item 12

Checklist Item #5:

Plan of Operations – Section 10

Somewhere in Section 10, perhaps Section 10.10.1, a detailed discussion on yard waste should be included. A discussion in scope and detail similar to the one in the previous O&M Manual (1:09, subsection 16).

DSWA RESPONSE #12

Section 10.11, Yard Waste Storage Area, was added to Section 10 and gives a detailed discussion on yard waste.

Item 13

Checklist Item #5:

Plan of Operations – Section 6

In Section 6 more detail should be provided for the description of the soil cover, daily cover tarping operations, intermediate cover and ADC.

DSWA RESPONSE #13

Language has been added to Section 6 of the Plan of Operations describing the daily and intermediate soil covers. Additional language has also been added stipulating that any ADC utilized shall be applied in a manner similar to traditional cover soil unless otherwise permitted in the ADC approval letter issued by DNREC.

Item 14

Checklist Item #5:

Plan of Operations – Section 13.2 et.al.

The proposed Plan of Operations section on Erosion needs to be expanded. Much of the language which is in the previous O&M Plan needs to be incorporated into this Plan of Operations. See previous O&M Plan Sections 1:10-3., 1:11-3., 1:11-4., and 1:14. Please include the language in these sections that are not already in the proposed Plan of Operations. They can be placed in the sections you deem as appropriate, not necessarily all in Section 13.2. In the cover letter, please indicate where you inserted language.

DSWA RESPONSE #14

Language has been added to Sections 13.1, 13.2, 13.3.1, 13.3.2 and 13.4 of the Plan of Operations expanding on the Stormwater Management System, Erosion and Sediment Control, Permanent Storm Water Management System, Temporary Storm Water Management System and Inspection of the Storm Water Management System respectively.

Item 15

Checklist Item #6, #7, #8:

These three checklist items reference “Appendix A”, a CD copy of the last CIL permit application from May of 2005, which includes the approved engineering report, hydrogeological assessment, and environmental assessment. Thinking of the ease of the Public’s reviewing process, there should be either:

- Three (3) separate CDs provided for each of the Checklist Items #6, #7, and #8, or,
- Specify exactly which “VOLs” to reference in “Appendix A” for each of the Checklist Items #6, #7, and #8.

Also, make it known to the reader that "Appendix A" (or the individual CDs) is a CD attached to the back of the binder and not a tabbed section.

DSWA RESPONSE #15

Checklist Items #6, #7, and #8 have had language added notifying the reader that Appendix A is a CD attached to the application package and which volumes contained on that CD the engineering report, hydrogeological assessment, and environmental assessment can be found within.

Item 16

Checklist Item #9

On a map as described in DRGSW, Section 4.2.1.7, provide "the locations and names of all water supply wells or surface water intakes within ¼ mile of the disposal site boundaries".

DSWA RESPONSE #16

There are no water supply wells or surface water intakes within ¼ mile of the disposal site boundary. The nearest water supply well is over 2 miles away from the disposal site boundary.

Item 17

Checklist Item #12

Please include the Financial Assurance certification for Fiscal Year ending June 30, 2015.

DSWA RESPONSE #17

The Financial Assurance certification for Fiscal Year ending June 30, 2015 has been included under Checklist Item #12.

Item 18

Checklist Item #14

For the Public's ease of use, when referencing previous documents, please indicate exactly where within this application the citation is located. (For example, it is stated in the first bulleted item (the Section 5.1.1 requirement) that the original siting report for the CIL prepared by Gilbert and Associates satisfies this requirement. Please state how and where the Public reader can locate this citation. If it is not presented in the application body or attachments (including appendix) please include as a subsection to Checklist Item #14. If it is in Appendix A, please indicate exactly where. This goes for the other bullets).

DSWA RESPONSE #18

The location where cited documents may be found within the application has been added.

Additionally at this time DSWA would like to request the following considerations be made during the permit renewal process. The items listed below are included within current CIL Operations Permit, Permit SW-06/01, and have been identified by DSWA as items which are either outdated or unnecessary due to changes which have occurred at the site over time.

1. Section I.D.6.a.(3) in reference to the Citizens Advisory Board (CAB) states: *"DSWA shall meet with this board at least quarterly, prepare meeting minutes and post the minutes to the DSWA web site, and present the issues discussed at these meetings with the DSWA Board of Directors for their consideration."*

The CAB has expressed that at this time they feel that there is not a need to conduct meetings at the quarterly frequency and that a lesser frequency would suffice. However due to the requirement in the permit quarterly meetings are still required until such time as this requirement is revised. This is reflected in the meeting minutes from the January 11, 2016 CAB meeting, where a motion was passed to request a reduction in the number of annual meetings required of the CAB in the CIL permit. A copy of the minutes is attached for reference.

DSWA would like to request a revision to the permit which would allow the CAB to determine the frequency at which meetings were held based on vote by the board members.

2. Section II.F. 5 states: *"DSWA shall maintain automated stormwater monitoring systems designed to measure the flow of stormwater during precipitation events."*

It is DSWA's assertion that automated monitoring systems are difficult to install, operate and maintain in this application. Additionally, they do not provide information that could not be obtained using manual methods. Manual monitoring methods are reliable in this application and not subject to mechanical failures that may be seen with automated systems. Based on this DSWA would like to request this requirement be removed and stormwater sampling to occur in accordance with the approved Stormwater/Surface Water Monitoring Plan.

3. Section II.V references an Exposed Geomembrane Cover and associated *Permit Modification Application for Temporary Exposed Geomembrane Cover* dated May 2004 and revised.

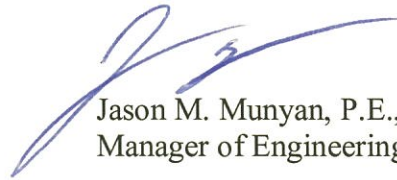
At the time the current permit (Permit SW-06/01) was being issued the exposed geomembrane referenced above was being proposed as a method to expand the landfill gas (LFG) collection system and address odors which were occurring at CIL. While the exposed geomembrane was never installed the LFG collection system was expanded in other ways and subsequently the odor problems that were occurring ceased, thereby negating the need for the geomembrane. Additionally the area in which the exposed geomembrane was designed to be installed has since seen additional waste placement and is therefore buried within the waste mass. This would make installation of the proposed exposed

geomembrane impossible at this time. Because of these factors DSWA is now requesting Section II.V be removed from the permit.

4. Section III.C.3.b states: *"At least once every four years, all accessible leachate collection pipes shall be inspected by camera to assess their condition. This shall include a written assessment of the condition of the leachate collection pipes to include an assessment of clogging of the pipe perforations and the location, cause, and effect of blockages encountered. In the event that such an assessment supports the DSWA claim that less frequent cleanings are needed, the DSWA may initiate a request for a permit modification to reduce the cleaning frequency."*

Over many years of operating multiple landfills and performing both line jetting and camera inspections of leachate collection pipes DSWA has found that annual line jetting is capable of maintaining the functionality of the leachate collection pipes and that any obstructions or anomalies which occurred within the pipes were discovered during the jetting process. Because of this the need to camera inspect the leachate collection pipes on a routine basis is unnecessary and should only be done if and when a need is identified based on the results of the line jetting. At this time DSWA is requesting that Section III.C.3.b be removed from the permit.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Munyan', with a long horizontal flourish extending to the right.

Jason M. Munyan, P.E., BCEE
Manager of Engineering

JMM:um

c: R. P. Watson, P.E., BCEE
R. M. Roddy, P.E., BCEE
L. V. Miller, P.E., BCEE
L. V. Kocenko, P.E., BCEE

CITIZEN'S ADVISORY BOARD

Cherry Island Landfill

January 11, 2016

Notes

The January 11, 2016 meeting of the Citizen's Advisory Board (CAB) convened at approximately 5:06 p.m. at the Cherry Island Landfill (CIL), 1706 E. 12th Street, Wilmington.

Attendees:

CAB

Vince D'Anna
Anthony DeFiore
James E. Parker II
Sandra Smithers

DSWA

Robin Roddy
Mike Parkowski
Jason Munyan
Uriel Mendonça

DNREC

Brad Richardson
Mark Lyon

Department of Natural Resources and Environmental Control (DNREC) Update

Mr. Richardson presented DNREC's update on their activities at CIL.

Mr. Richardson reported that there were no odor complaints or prohibited waste reported for the 4th quarter of 2015. DSWA issued no citations for yard waste during the quarter.

On December 14, 2015, there was a fire in a yard waste pile at CIL which consisted of mostly leaf debris. The pile was isolated and soaked with water. The incident was reported to DNREC and followed with written notification within five (5) working days as the permit requires.

Mr. Richardson stated that DSWA's permit renewal application for the CIL, which was submitted in July, is under review by DNREC. DNREC was unable to make a final determination on renewal of the permit before January 6, 2016, which is the expiration date of the permit. DNREC therefore granted extension of the permit to September 30, 2016, with the hope of completing the permit renewal process.

Mr. Richardson reported that DSWA has been working on sedimentation and erosion problems at the landfill, particularly the southwest corner on the landfill. DSWA has installed a silt-fence, which seemed to alleviate much of the issues, but this will need to be replaced by

a more permanent fix. Mark Lyon, DNREC's onsite daily inspector has been monitoring the situation continually as well as other daily operations.

Mr. D'Anna inquired if there was a public hearing on the Permit and if so when would it be?

Mr. Richardson explained that once the permit is deemed complete a public notice will be issued. There will be 20 days for public comments and part of that comment is to request a public hearing. If there is no response to the public notice on the completion of the permit application, then it's up to the Secretary to determine if there will be a public hearing. He may schedule a public hearing regardless of if one is requested.

Mr. D'Anna expressed that he would like to suggest we comment to have a minimum of two CAB (2) meetings a year instead of four (4) with an option to have more if necessary.

Ms. Roddy stated that the question at hand is if it is the official position of the CAB to have fewer meetings, what is the appropriate mechanism for them to make that request?

Mr. Richardson explained that if the CAB is in agreement, he can find out administratively what needs to be done. It might be nothing more than writing a letter and the Secretary signing off on it.

Mr. D'Anna inquired if it has to be done through the permit and if the Secretary would have to agree on it?

Mr. Richardson confirmed what Mr. D'Anna said is true.

Mr. D'Anna said he would prefer to do it by motion and send a letter out along with the minutes.

CIL Update

Mr. Munyan reported that there was a small fire onsite which initiated in one of our yard waste piles. It appeared to be from spontaneous combustion as the pile was degrading. Upon noticing the smoldering, the pile was broken down with equipment and the water truck was used to hose it down. The pile was then spread out and kept close eye on to ensure it was fully extinguished.

On December 17, we received a Notice of Violation (NOV) related to the universal waste laws and requirements. There are a few items that fall in that category such as fluorescent light bulbs and aerosol cans. We had some improperly stored on site by a former staff member and we were not aware of it. As soon as we became aware of it, we took care of it and had it properly disposed of the materials.

Ms. Roddy clarified that the waste in this instance doesn't mean waste from the landfill, it is waste generated at the site, from the office, such as fluorescent light tubes.

Mr. Munyan continued to report that the CIL permit renewal application was submitted in June for review by DNREC. Our current permit expired January 6, but we received a letter from DNREC extending the permit to September 30, 2016.

Mr. Munyan concluded by touching on the erosion issue. He stated that we have had some continued erosion on the southeast corner. We were following an approved grading plan, unfortunately with the slope included on that plan we couldn't get the water to run where we wanted to, so we took some temporary measures and installed some silt fence while we try to make larger modifications. I think we have it under fairly good control, but we are working on a larger fix. It's a slow process. We have to regrade the entire side of the landfill with waste and that depends not only on the waste volumes coming in, but the weather conditions. If we have months such as we did in December, where it rained heavily and often some areas become inaccessible that hinders our ability to fill in that area to facilitate the regrading.

Motion – moved by Mr. DeFiore

“The Board requested the CIL Permit be amended to have a minimum of two (2) meetings per year.”

Second – Mr. Parker

Mr. D'Anna	Yes
Mr. DeFiore	Yes
Mr. Parker, II	Yes
Ms. Smithers	Yes

Motion Adopted

(4 Yes, 0 No, 2 Absent)

Next Meeting

The next meeting is scheduled for Monday, 4/4/16 at 5:00 p.m. at CIL

Meeting adjourned at approximately 5:36 p.m.